



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JAN 16 2008

Mr. Roderick L. Bremby, Secretary
Kansas Department of Health and Environment
Office of the Secretary
1000 SW Jackson, Suite 540
Topeka, Kansas 66612-1368

Dear Mr. Bremby:

RE: Lower Arkansas and Lower Republican River Basins TMDLs

This letter responds partially to the submission from Kansas Department of Health and Environment (KDHE) on December 9, 2006, of eleven final Total Maximum Daily Load (TMDL) documents, and a subsequent submission on January 9, 2007, of two final TMDL documents. This submittal fulfills the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Kansas §303(d) list. Specifically, these 13 documents, representing their water bodies and impairments, were addressed:

- Lower Kansas River – E. coli
- Cedar Creek – Nitrate
- Lakes Olathe and Cedar – Eutrophication
- Mill Creek Watershed – Biology
- Shunganunga Creek – Sediment
- Soldier Creek Watershed – Sediment
- Anthony City Lake – Eutrophication and Siltation
- Arkansas River – Biology
- Sand Creek – Nitrate
- Sand Creek – DO
- Little Cow Creek – Nitrogen
- Tuttle Creek Lake – Atrazine
- Cowskin Creek – Biology

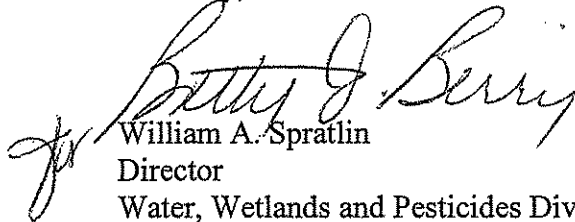
The United States Environmental Protection Agency (EPA) reviewed each of the 13 TMDL submittals. EPA has completed its review of the TMDLs for which KDHE has completed revisions, supporting documentation and information, and by this letter EPA is approving the final TMDL of the TMDL documents submitted.

- Lower Kansas River – E. coli

A Region 7 TMDL review form is enclosed with this letter which summarizes the rationale for EPA's approval for the approved TMDL document. EPA believes the separate elements of the TMDL described in the review form adequately addresses the pollutant of concern, taking into consideration seasonal variation and a margin of safety. Twelve of the TMDL documents were approved in previous letters dated August 3, 2007 and September 26, 2007.

EPA commends KDHE on its efforts to submit this TMDL for the Kansas Lower Republican River Basin. We appreciate the thoughtful teamwork and partnering effort that Kansas has put forth in the development of these TMDLs. We will continue to cooperate and assist, as appropriate, in future efforts by Kansas to develop TMDLs.

Sincerely,


William A. Spratlin
Director
Water, Wetlands and Pesticides Division

Enclosures

cc: Tom Stiles
Kansas Department of Health and Environment